

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: OHNOGI et al
 Appln. No. 09/890,875
 Date Filed: August 7, 2001
 For: REMEDIES



Art Unit: 1617
 Examiner: S.Hui
 Washington, D.C.
 Atty.'s Docket: OHNOGI-1

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 RESPONSE UNDER 37 CFR 1.116
 EXPEDITED PROCEDURE
 EXAMINING GROUP 1617

THE COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

Corres. and Mail
BOX AF
 Date: September 26, 2002
 Confirmation No. 9130

Sir:

Transmitted herewith is a [X] REPLY TO FINAL ACTION: AMENDMENT AND REMARKS in the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
 [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
 [] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
 [] Second - \$ 200.00
 [] Third - \$ 460.00
 [] Fourth - \$ 720.00

Month After Time Period Set

- [] Less fees (\$) already paid for month(s) extension of time on .

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
 [XX] Second - \$ 400.00
 [] Third - \$ 920.00
 [] Fourth - \$ 1440.00

Month After Time Period Set

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$400.00.

[XX] The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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ATTY.'S DOCKET: OHNOGI=1

) Art Unit: 1617

) Examiner: S. Hui

) Washington, D.C.

) Confirmation No. 9130

) September 26, 2002

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

Replying to the Final Office Action of May 7, 2002,
petition for two month's extension of time and late fee being
attached hereto, please amend as follows:

Delete claims 4 and 5 in favor of the remaining claims, and without prejudice.

Amend claims 6-8 as follows:

~~22 Sub~~ 6. (Amended) A method for enhancing growth factor production, the method comprising administering a composition containing, as an active ingredient, a compound selected from the group consisting of 4,5-dihydroxy-2-cyclopenten-1-one of formula (I):